State of California—Health and Human Services Agency
California Department of Public Health

RON CHAPMAN, MD, MPH
Director & State Health Officer

EDMUND G. BROWN JR.
Governor

Date: June 26, 2013 ACL

TO: COUNTY CLERKS
COUNTY RECORDERS

SUBJECT: RULING BY THE U.S. SUPREME COURT REGARDING SAME-SEX MARRIAGES

On June 26, 2013, the U.S. Supreme Court dismissed the appeal of the decision invalidating Proposition 8, leaving intact the court order enjoining enforcement of Proposition 8. At our request, the Attorney General has provided legal advice regarding the scope of the district court's injunction. In her letter, the Attorney General concludes that the injunction applies statewide, and that county clerks and county recorders in all 58 counties must comply with it. A copy of the Attorney General's letter and the district court's injunction are attached to this notice.

The effect of the district court's injunction is that same-sex couples will once again be allowed to marry in California. But they will not be able to marry until the Ninth Circuit issues a further order dissolving a stay of the injunction that has been in place throughout the appeal process. We do not know when the Ninth Circuit will issue this order, but it could take a month or more. **County clerks and recorders should not issue marriage licenses to same-sex couples until this order is issued.** Further instructions will be issued by this office when additional information becomes available.

If you have any questions regarding this matter, please contact the Birth and Marriage Registration Section at (916) 445-8494.

Tony Agurto, MPA
State Registrar
Assistant Deputy Director
Health Information and Strategic Planning

Attachments